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**OFFICE OF PETITIONS**

In re Application of  
Daniel J. Scales  
Application No. 09/757,764  
Filed: January 9, 2001  
Attorney Docket No. 9772-0268-999

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed April 29, 2005, to revive the above-identified application.

The petition is **GRANTED**.

**The two-month period for filing the Appeal Brief under 37 CFR 41.37(a)(1), accompanied by the fee set forth in 37 CFR 41.20(b)(2), runs from the date of this decision.**

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed June 17, 2004, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on September 18, 2004.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (571) 272-3220.

This matter is being referred to Technology Center AU 2122.

  
Wan Laymon

Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy